

5. Māori interests

1. Māori interests in 2.3 and 2.5 GHz spectrum are varied. In its submission on the 2.3 GHz discussion paper, the New Zealand Maori Council (NZMC) made a distinction between Māori as service providers and Māori as service consumers, saying that spectrum rights are a tool for fulfilling the Government's 25 year Māori Language Strategy as well as providing economic development opportunities associated with holding and managing radio spectrum rights. The NZMC also argued that a reservation of 2.3 GHz spectrum for promoting Māori language rights and interests should be made regardless of a managed spectrum park.
2. In its submission on the 2.3 GHz discussion paper, the Te Huarahi Tika Trust also sought a grant of the spectrum to be auctioned in the 2.3 GHz band, arguing that precedents set in 2000 support further allocations of spectrum to be made to the Trust.
3. In 1999, following a Waitangi Tribunal Claim (WAI 776), Cabinet "declined to accept that the principles of the Treaty require that Māori be given a share of rights in relation to the radio spectrum" [CAB (99) M26/14 refers].
4. Cabinet also agreed that the Te Huarahi Tika Trust should be provided with the exclusive right to purchase one block of 3G spectrum, at a price equivalent to the average price realised at the auction for other 3G spectrum less a discount of 5% for the purpose of promoting Māori participation in the knowledge economy. In addition, the Government made a gift of \$5 million to the Trust in 1999/2000 (\$900,000) and 2000/2001 (\$4.1 million) from one-off appropriations within Vote: Māori Affairs.
5. The Government is committed to promoting and protecting the Māori language through a range of mechanisms, including broadcasting. To this end, Government has allocated licences for radio broadcasting, and a management right for use by Māori Television.
6. The Government has also recognised that Information Communication Technology (ICT) is important because it drives productivity and innovation. New technologies such as broadband are opening up new markets, new opportunities, and new ways of doing things faster, better, and more cheaply.
7. The Government's Digital Strategy recognises the importance of working with Māori to assist Māori, as individuals or collectives, to achieve their goals for the use of ICT including their economic development goals. ICT can be used to help create the conditions for the realisation of the diverse forms of Māori potential.
8. The benefits of allocating spectrum specifically to Māori interests to meet Government's objectives are considered each time an allocation of long term rights is proposed, particularly where broadcasting is involved.
9. A total bandwidth of 75 MHz is proposed for managed spectrum parks across both the 2.3 GHz and 2.5 GHz bands. The managed spectrum parks are specifically intended to provide for regional and local services, including Māori service providers, although no specific reservations for Māori language and culture have been provided for. It is also noted that not all Māori service providers will be providing services for Māori.
10. Interested parties are invited to comment on the suitability of the proposed arrangements regarding lots and the managed spectrum parks for the promotion and protection of Māori language and culture and to provide for the interests of Māori service providers and whether any additional arrangements including separate reservation are considered desirable, and if so, their specific nature.

Question 3: Māori interests

What provision should be made regarding allocation of spectrum in the 2.3 GHz and 2.5 GHz bands for use by Māori (i.e. Māori service providers)?

What provision should be made regarding allocation of spectrum in the 2.3 GHz and 2.5 GHz bands for use for Māori (i.e. Māori as service consumers, or in the interests of Māori language and culture)?

What terms and conditions should apply to this spectrum?